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May 13, 2022

Dr. James D. Fielder, Jr., Secretary of Higher Education  
Maryland Higher Education Commission  
6 North Liberty Street  
Baltimore, MD 21201

Dear Secretary Fielder,

Thank you for the opportunity to respond to the objection raised by Allegany College of Maryland (ACM) that we received on May 6, 2022, regarding Frostburg State University's (FSU) proposal for a Bachelor of Science in Nursing (BSN), Licensed Practical Nurse (LPN) to BSN online program.

We will demonstrate that the proposed LPN-to-BSN program does not constitute unreasonable program duplication that would cause demonstrable harm to ACM, per the Maryland Higher Education Commission (MHEC) Code of Maryland Regulations, COMAR 13B.02.03.09/27. In doing this, we will also show that the proposed LPN-to-BSN program addresses critical educational and workforce needs that correspond directly to promoting the health and wellbeing of all Marylanders.

According to COMAR 13B.02.03.09.C. Determination of Duplication:

*(1) In determining whether a program is unreasonably duplicative, the Secretary shall consider:*

- (a) The degree to be awarded.*
- (b) The area of specialization.*
- (c) The purpose or objectives of the program to be offered.*
- (d) The specific academic content of the program.*
- (e) Evidence of equivalent competencies of the proposed program in comparison to existing programs; and*
- (f) An analysis of the market demand for the program.*

*(2) The analysis shall include an examination of factors, including:*

- (a) Role and mission.*
- (b) Accessibility.*
- (c) Alternative means of educational delivery including distance education.*
- (d) Analysis of enrollment characteristics.*
- (e) Residency requirements.*
- (f) Admission requirements; and*
- (g) Educational justification for the dual operation of programs broadly similar to unique or high-demand programs at HBIs.*

Frostburg State University is proposing an online LPN-to-BSN program leading to a *Bachelor of Science in Nursing* (BSN). The nursing program referenced in ACM's objection letter is an online LPN-to-RN *Associate of Science in Nursing*. Consequently, FSU's proposed nursing program does not duplicate ACM's existing nursing program in terms of degree awarded (C.1.a). The ASN is an entry-level educational credential qualifying the bearer for employment as a Registered Nurse. The learning outcomes of a Bachelor's-level nursing program expand significantly upon those of an Associate's-level program, resulting in more specialized sets of knowledge, skills, and competencies (C.1.b and e). While the ASN curriculum prepares nurses to assume clinical roles within healthcare, the BSN degree prepares nurses to assume clinical roles **and** to take on complex leadership roles in a fast-changing healthcare environment (C.1.c and e). The academic content of the BSN program builds upon the ASN's clinical foundation to focus on nursing theory, community nursing, pediatric nursing, psychosocial nursing, health assessment, health-related research, management, leadership, and ethics; and the program culminates with a senior capstone project. The proposed curriculum is designed to provide students with an interdisciplinary perspective and a mastery of communication and research skills. As a result, the specific academic content of the BSN program is substantially different than that of the ASN program (C.1.d).

The BSN is also a gateway degree for those interested in pursuing a Master of Science in Nursing (MSN), which FSU offers with four distinct tracks to meet students' needs and interests. By offering the proposed online BSN program for students who already hold an LPN, Frostburg can build a pipeline to its MSN programs. The proposed BSN program serves markedly different educational and career objectives than does ACM's ASN program (C.1.c).

The objectives and target market of FSU's proposed program differs from the ACM nursing program in other important respects, as well (C.1.c). While both programs allow for fully online part-time enrollment, ACM's content is not delivered entirely in an asynchronous format, with **3-4 mandatory synchronous meetings** per semester according to the [RegistererNursing.org ranking](https://www.registerernursing.org/ranking) referenced in objection by ACM. In contrast, the FSU online LPN-to-BSN would not require any synchronous meetings. This entirely online modality affords students the opportunity to continue to work and removes the travel barriers that currently exist within other programs across the state and country (C.2.e).

Additionally, a significant limitation to its program not mentioned in the objection letter provided by ACM is their inability to serve students who reside outside of Maryland and a limited set of additional states. According to the ACM [website](#), applicants for their LPN-to-RN program must currently be (and remain throughout the program) permanent residents of **six** authorized states: Delaware, Florida\*, Maryland, North Carolina\*, Pennsylvania, Texas, Virginia, and West Virginia.

\* Program state expansion-Florida and North Carolina residents will be eligible for the program starting with the December 1, 2022, application deadline date.

In contrast, FSU has been an institutional member of the National Council of State Authorization Reciprocity Agreement (NC-SARA) since August 2016. Membership in NC-SARA is intended to make it easier for students to take online courses/programs offered by postsecondary institutions based in another state. FSU is currently approved for students residing in any of the following **29 states** at the time of admission and throughout completion of the program: Alabama, Alaska, Arizona, California, Delaware, Idaho, Indiana, Kansas, Louisiana, Maine, Maryland, Michigan, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Texas, Utah, Virginia, West Virginia, and

Wyoming. As a member of NC-SARA, the FSU proposed program will be accessible to a much larger population of prospective students (C.2.b) and, so, will better promote the goal of diversifying the nursing profession.

Demographically, [FSU's student body](#) differs significantly from the [student body at ACM](#), particularly with respect to race, ethnicity, gender, and age (C.2.d). In the fall of 2021, enrollment in Frostburg's existing fully online RN-to-BSN program consisted of only 6.8% of students residing in Allegany and Garrett Counties, with the vast majority being residents of other counties in Maryland (e.g., of the 394 students enrolled in FSU's fully online RN to BSN in fall 2021, only 27 (6.8%) were from out of state). Although a different degree and for comparison purposes only, ACM indicated that 20.1% of ACM's LPN-to-RN online students are local students, again demonstrating overall market differences and reach.

Results of the 2020 National Nursing Workforce [Survey](#) showed that the total number of active LPN/LVN licenses in the United States was 944,813. Presently, there are 13,538 LPNs in the state of Maryland. It is critical to provide accessible LPN-to-BSN programs within the state so these nurses can advance their careers and fill critical nursing vacancies. Currently, the Maryland Board of Nursing has approved only two online programs for LPNs: 1) Allegany College of Maryland's online LPN-to-RN (ASN) program; and 2) Indiana State University's online LPN-to-BSN program—both of which are competitive and reach capacity each year.

According to the American Association of Colleges of Nursing's survey, [Employment of New Nurse Graduates and Employer Preferences for Baccalaureate-Prepared Nurses \(2021\)](#), nursing schools indicate that 40.6% of hospitals and other healthcare settings are **requiring** new hires to have a bachelor's degree in nursing and 77.4% of employers are expressing a **strong preference** for BSN program graduates. FSU's proposed LPN-to-BSN program responds to a market demand that ACM's ASN program simply does not serve (C.1.f).

Additionally, no program (in *any* modality—online, hybrid, or in-person) like Frostburg's proposed LPN-to-BSN is offered in the state of Maryland. Currently, there are 12 associate degree programs offering an LPN-to-RN in Maryland, eleven of which are on campus programs. As a result, opportunities are limited for non-traditional, working LPNs. As mentioned on their webpage, admission to the online nursing program at ACM *"is a selective and competitive process and acceptance will be offered to students ranking with the highest points based on pre-requisite class grades and the admission exam."*

Other regional options to enroll in a traditional BSN program require Maryland residents to enroll out of state to West Virginia University's Potomac State campus in Keyser, WV (23 miles from the Frostburg campus) or West Virginia University's main campus in Morgantown, WV (62 miles from the Frostburg campus). In addition to frustrating students' desires and leaving regional healthcare employers' needs unmet, denying FSU's program proposal would create a significant competitive disadvantage for the University relative to other four-year schools in the state and region.

In its [Nursing Info Book \(2021\)](#), ACM acknowledges that "not all applicants who apply can be accepted due to space availability, the availability of qualified faculty, and clinical resources." Over the years, FSU has produced more qualified applicants than ACM has had the capacity to serve through its program. As a result, students must transfer from FSU to another institution to complete their BSN. Even if ACM were to expand its ASN program in the ways described in its letter, it still would not have the capacity to serve the significantly larger pool of prospective LPN-to-BSN

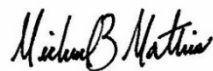
students that FSU aims to recruit in the many states (23) that ACM is not authorized to serve. With respect to clinical placements, we do not anticipate this to be a concern, given that a majority of students enrolled in the program will reside outside the Western Maryland region. Additionally, major healthcare institutions in our region have assured FSU that there will be adequate clinical opportunities for students.

It is also important to note that the State of Maryland has already made considerable investments to support the development and implementation of our proposed program. The University was awarded grant funds from [MHEC in 2020](#) (Nurse Support Program II) to develop an accessible, cost-effective, high-quality, traditional Bachelor of Science in Nursing (BSN) degree program to increase nursing pre-licensure enrollments and graduates within the state of Maryland. (With respect to the issue of transparency around the planned expansion of FSU's nursing programs, this grant award and the plan to develop the proposed program were discussed at length during multiple FSU Nursing Advisory Board meetings where nursing faculty and administrators from ACM were present.) In Supplemental Budget No. 4 (March 17, 2021), Governor Hogan added \$600,000 to FSU's base budget for the purpose of hiring faculty to expand enrollment in the University's nursing programs. This funding was provided in response to a supplemental budget request submitted by FSU specifically to support the development of both the proposed BSN and LPN-to-BSN programs. With these funds, FSU has already hired four (4) additional nursing faculty for FY 2023 and has budgeted for the hiring of two (2) additional nursing faculty in FY 2024. Finally, the state provided \$83 million in capital funding for the construction of a new Education and Health Sciences Center (EHSC) on FSU's main campus, which will house the proposed BSN program and Nursing department faculty who will instruct courses for the LPN to BSN program. Groundbreaking occurred in August 2020 and the facility is slated to open in January 2023. The EHSC will provide a high-tech learning environment for students in the proposed BSN program, including a state-of-the-art simulation laboratory.

Frostburg State University's proposed fully online LPN-to-Bachelor of Science in Nursing (BSN) program meets compelling demands from students, employers, and the State of Maryland. We have demonstrated that, based upon COMAR 13B.02.03.09, FSU's proposed BSN program does not duplicate any degree program offered by ACM; and, as a result, ACM has no standing to object. Allegany College of Maryland grants an Associate's-level nursing degree, not a Bachelor's-level degree.

If you have any questions, please do not hesitate to contact me or FSU's Assistant Vice President for Analytics, Dr. Sara-Beth Bittinger at [sbittinger@frostburg.edu](mailto:sbittinger@frostburg.edu).

Respectfully,



Dr. Michael Mathias  
Interim Provost and Vice President for Academic Affairs

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